

Rev. 10/93

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:  
PAYNE ET AL.

CASE NO.: CL1998 USCNT

APPLICATION NO: 10/729,542

GROUP ART UNIT: 1632

CONFIRMATION NO: 2743

FILED: DECEMBER 18, 2003

EXAMINER: UNKNOWN

TITLE: PROMOTER AND PLASMID SYSTEM FOR GENETIC  
ENGINEERINGCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450DECLARATION OF BIOLOGICAL CULTURE DEPOSIT

Sir:

I, LIN AXAMETHY FLOYD, declare that

I am an attorney of record for the owner of the above-identified application.

Cultures of the following biological materials have been deposited with the following international depository:

American Type Culture Collection (ATCC)  
10801 University Boulevard, Manassas, VA, 20110-2209, U.S.A.

under conditions that satisfy the requirements of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. A copy of the receipt issued pursuant to Rules 7.3 and 10.2 (stating the term of the deposit) is attached.

Depositor's Identification of Organism	International Depository Accession Number	Date of Deposit
<i>Escherichia coli</i> : RJ8n	PTA-4216	April 9, 2002

I further aver that all restrictions on the availability to the public of the culture will be irrevocably removed upon the granting of a U.S. patent on the above-identified application.

Respectfully submitted,

  
 LINDA AXAMETHY FLOYD  
 ATTORNEY FOR APPLICANTS  
 US PTO REGISTRATION NO. 33,692  
 TELEPHONE: (302) 892-8112
Dated: 25 October 2004  
Enclosure: Deposit Receipt